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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

September 29, 2010

Dale D. Rogers
Wah Wah Slate and Flagstone LLC
Post Office Box 668
Milford, Utah 84751

Subject: Deficient Notice of Intention to Commence Small Mining Operations, Wah Wah Slate and Flagstone, Drumbeat #1,2,3,4 Mine, S/023/0089, Juab County, Utah

Dear Mr. Rogers:

The Division has reviewed the proposed amendment to the referenced Notice of Intention to Commence Small Mining Operations (NOI), and the following items will need to be addressed before the amendment can be determined complete:

1. You must provide the Division with replacement pages for the existing NOI. The replacement pages must show Dale Rogers as the sole proprietor. Pages showing officers of Wah Wah Slate and Flagstone need to be replaced.
2. You need to provide the Division with a transfer application. The transfer application is needed to show that ownership has been transferred from Wah Wah Slate and Flagstone LLC to Dale Rogers.
3. The Division needs an updated reclamation contract showing the operator as Dale Rogers and signed by you as an individual rather than as an officer of Wah Wah Slate and Flagstone.
4. The name on the letter of credit serving as reclamation surety needs to be changed to Dale Rogers.

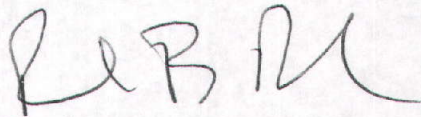
Enclosed with this letter are copies of the transfer application form, replacement pages for the NOI, Form MR-REV-SMO/EXP, and the reclamation contract. The form for the letter of credit is available on the Division's web site at https://fs.ogm.utah.gov/pub/mines/minerals_related/forms/MR-LOC-Joint.pdf. This form would be filled out by your bank and printed on bank letterhead.



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Please contact the Division if you need assistance in completing these requirements. Questions about the letter of credit and the reclamation contract should be directed to Penny Berry at 801-538-5291 or by e mail at bondcoordinator@utah.gov. Any other questions may be directed to me at 801-538-5261 or to Wayne Western at 801-538-5263. In reply, please refer to file number S/023/0089. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read 'P B Baker', written over a light blue rectangular background.

Paul B. Baker
Minerals Program Manager

PBB:whw:eb
Enclosure: NOI, Transfer Form, Reclamation Contract
cc: BLM, Jerry Mansfield, Fillmore
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